

Notice of Allowability

Application No.

09/818,423

Examiner

Blanche Wong

Applicant(s)

SRIKRISHNA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to November 14, 2005.
2. ☒ The allowed claim(s) is/are 7-18, 31-44 (renumbered 1-26).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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EXAMINER'S AMENDMENT

1. Examiner has received the signature page for After Final Response.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in telephone interviews with Brian Short on November 28, 2005 and on December 6, 2005.

The application has been amended as follows:

In the claims:

- In claim 7, ln. 10-11, -- between the node to the server -- has been replaced by "between the node and the server".
- Claims 19-30 are cancelled.
- In claim 35, ln. 10, -- from the node to a distinguished node -- has been replaced by "from the node to the server".
- 39. (Currently Amended) A node comprising:

a transceiver having two interfaces, wherein each interface has a channel; and a channel manager, the channel manager to assign a first channel for a first interface to an uplink for a node and a second channel for a second interface to a downlink for the node, wherein the assignment of first channel and the second channel for the node is based on a number of hops from the node to [a distinguished node] a server.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

With regard to new independent cl. 35, the prior art of record fails to anticipate or make obvious "... assigning a first channel to an uplink for the node; assigning a second channel for a downlink for the node; ... assigning the first channel and the second channel for the node based on the number of hops from the node to the server and a number of available channels".

With regard to new independent of cl. 39, the prior art of record fails to anticipate or make obvious "... the channel manager to assign a first channel for a first interface to an uplink for a node and a second channel for a second interface to a downlink for the node, wherein the assignment of first channel and the second channel for the node is based on a number of hops from the node to a server."

Pulkkinen et al. (U.S. Pat No. 6,694,141) discloses a method of channel allocation. However, the channel choice is based on coordinated frequency planning, col. 4, ln. 31-37, and predetermined time, col. 2, ln. 17-20. Koprivica (U.S. Pat No. 6,687,239) discloses a method of dynamic channel allocation. However, the channel allocation is based on a threshold value for the channel quality, col. 3, ln. 46, and not based on a number of hops from the node to a distinguished node or server. Nguyen et al. (Pub. No. US2002/0016926) discloses a hop count 408, para. [0009]. However, Nguyen fails to explicitly show an assignment based on a number of hops from the node to a distinguished node or server. Donaghey et al. (Pub. No. US2001/0030969) discloses a router with multiple network interfaces that receives port connection

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information. Although a virtual circuit length which include the number of hops, see Fig. 3, is measured and stored in a table, Donaghey uses this information to eliminate the need for connection request messages, and not for channel assignment, para. [0006]. Mizutani et al. (U.S. Pat No. 6,907,257) discloses a multi-hop communication system among nine or more radio stations which uses a bridge, col.1, ln. 39-42. Sender cannot directly communicate with a specific recipient, and an intermediate node is used to relay packets, col. 1, ln. 52-55. Two channels are used, col. 1, ln. 65-66. However, Mizutani fails to explicit show an assignment of the first channel and the second channel for the node to an uplink and downlink respectively, and an assignment based on a number of hops from the node to a distinguished node or server.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BW

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November 28, 2005



CHI PHAM

PERMISSORY PATENT EXAMINER

TECHNOLOGY CENTER FOR

12/6/05